

REMARKS

In the Office Action, dated June 21, 2001, the Examiner states that Claims 9-16 are pending and Claims 9-16 are rejected. By the present Amendment, Applicant amends the claims.

In the Office Action, the Patent Office rejects Claims 9-16 as being indefinite. The Applicant has accordingly amended the claims to address each of the specific rejections. In Claim 9, line 10, the phrase "preferably perpendicular to" has been deleted. Claim 13 has been amended to state that the "tertiary figurative element constitutes a foreground, a frame, or a background", as suggested by the Examiner. Finally, Claim 16 has been amended to delete the phrase "such as" and the examples which follow.

In the Office Action, the Patent Office rejects Claims 9-15 under 35 U.S.C. §102 as being anticipated by the Fontworks reference. The Applicant disagrees that the figurative element disclosed in Fontworks, when seen in a given oblique direction between a viewer and the print, shows the first dimension and the second dimension as forming a plane of advertisement which is directed obliquely outward of the plane of the print carrier.

What is used in the Fontworks is an inverse perspective formed image, having a line of sight being perpendicular to the plane of the print carrier. Accordingly, Fontworks only shows a print having a vanishing point perpendicular behind the plane (the page), or perpendicular in front of the plane.

Even though the inverse perspective formed image has a depth, it has been added through a shadow which is comparable to the secondary figurative element in the present application. Therefore, it is not possible to obtain the same effect obtained with the present invention, according to which the primary figurative element, seen in a given oblique direction, shows the first figurative element as directed obliquely outward of the plane of the print carrier.

If one considers the "Sanity" picture under any angle, it will appear in the same way. Accordingly, it is not possible to "raise" the primary figurative element out

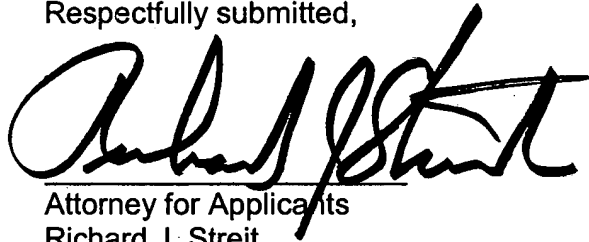
of the plane of the print carrier (the page). The only effect, which can be said to be obtained, is that the primary figurative element could either be in the plane of the print carrier or in a plane being parallel to the plane of the print carrier. However, the "Sanity" picture illustrates the shading which will be vanishing into the paper with different angles for each of the elements in the picture. Accordingly, one could say the primary figurative element in the X-Y plane illustrated by Fontworks will be in the plane of the print carrier. Further, it is also noted that Fontworks does not have the secondary figurative element (the shading of the primary figurative element) arranged in such way that it will have an angle $\alpha + \beta$ between the first dimension and an angle $\beta + 90^\circ$ between the first dimension and the third dimension. It clearly occurs that the angle for each of the elements of the primary figurative element will differ from the angles in any of the other figurative elements, when seen in any given oblique direction between the viewer and the print.

Finally, it should also be noted that the third dimension (the depth) will not have an angle differing from zero, at least not when one looks at the figurative element which is arranged in the middle of the depicted figurative element. In the central part the angles α , β will be zero°.

Therefore, the Applicant believes that Fontworks is not a relevant reference. Accordingly, it would also be incorrect to make use of Fontworks as a reference in combination with the Rusin patent, as was done in rejecting Claim 16 under 35 U.S.C. §103 as being obvious.

In light of the foregoing response, all the outstanding objections and rejections have been overcome. Applicants respectfully submit that this application should now be in better condition for allowance and respectfully request favorable consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard J. Streit", written over a horizontal line.

Attorney for Applicants
Richard J. Streit
c/o Ladas & Parry
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300
Reg. No. 25765

November 14, 2001
Date